IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 571 of 2004

Between:

Sathi Satyanarayana Reddy, S/o Subbi Reddy,
Secretary, S.Illindalaparru PACS, Penumantra Mandal, W.G.District.

..... PETITIONER

AND

1 The Govt., of A.P., rep., by its Secretary, Co-operation Department, Secretariat, Hyderabad.
2 The District Co-operative Officer, Eluru, W.G.District.
3 Divisional Panchayat Officer, Kovvur, W.G.District.
4 The S.Illindalaparru PACS Rep., by its Person-in-Charge, Penumantra Mandal, W.G.District.
5 Nadimpalli Satyanarayana Raju, S/o Venkatarama Raju,
President/Person-in-Charge, S.Illindalaparru PACS, Penumantra Mandal, W.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order or direction more particularly one in the nature of writ of certiorari, quashing the orders of the 5th respondent dated 20-12-2003 suspending the petitioner without sustenance allowance, contemporaneously with the show cause notice, hardly 10 days after the petitioner's reinstatement from the earlier suspension, which was made on the very same grounds

Counsel for the Petitioner:MR.M.SIVANANDA KUMAR

Counsel for the Respondent Nos 1 to 3: GP FOR COOPERATION

For R-4: K. Chidambaram and for R-5: N. Shoba

The Court made the following :

ORDER:

This petition is filed by the Secretary of 4th respondent Society questioning the order dated 20.12.2003 suspending him from service.

I have taken a view in W.P.No.3171 of 2003 and batch dated 30.8.2004 to the effect that no writ lies against a Society by its employees since the Primary Agricultural Cooperative Society is not a State within the meaning of Art.12 of the Constitution of India amenable to the writ jurisdiction.

Accordingly, the writ petition is dismissed keeping it open to the petitioner to avail appropriate and alternative remedies in accordance with law. No costs.

15.9.2004

cvm

To,

1 The Govt., of A.P., rep., by its Secretary, Co-operation Department, Secretariat, Hyderabad.
2 The District Co-operative Officer, Eluru, W.G.District.
3 Divisional Panchayat Officer, Kovvur, W.G.District.
4 The S.Illindalaparru PACS Rep., by its Person-in-Charge, Penumantra Mandal, W.G.District.
5 Nadimpalli Satyanarayana Raju, S/o Venkatarama Raju,
President/Person-in-Charge, S.Illindalaparru PACS, Penumantra Mandal, W.G.District.

6 2 CCs to G.P. for Cooperation (OUT), High Court of A.P., Hyd.

7 2 CD copies.